

Wetlands Bureau Decision Report

Decisions Taken
02/27/2006 to 03/06/2006

DISCLAIMER:

This document is published for information purposes only and does not constitute an authorization to conduct work. Work in jurisdiction may not commence until the applicant has received a posting permit.

Decisions are subject to appeal, and are reviewed by the federal agencies for compliance with Section 404 of the Federal Clean Water Act.

APPEAL:

I. Any affected party may ask for reconsideration of a permit decision in accordance with RSA 482-A:10,II within 20 days of the Department's issuance of a decision. Requests for reconsideration should:

- 1) describe in detail each ground for complaint. Only grounds set forth in the request for reconsideration can be considered at subsequent levels of appeal;
- 2) provide new evidence or information to support the requested action;
- 3) Parties other than the applicant, the town, or contiguous abutters must explain why they believe they are affected; and
- 4) Be mailed to the DES Wetlands Bureau, PO Box 95, Concord, NH 03302-0095.

II. An appeal of a decision of the department after reconsideration may be filed with the Wetlands Council in accordance with RSA 482-A:10, IV within 30 days of the department's decision. Filing of the appeal must:

- 1) be made by certified mail to Brian Fowler, Chairperson, Wetlands Council, PO Box 95, Concord, NH 03302-0095 (a copy should also be sent to the DES Wetlands Bureau);
- 2) contain a detailed description of the land involved in the department's decision; and
- 3) set forth every ground upon which it is claimed that the department's decision is unlawful or unreasonable.

MAJOR IMPACT PROJECT

2002-02397 LORD, DANIEL
SALEM Unnamed Wetland

Requested Action:

Permanently impact approximately 7,215 square feet and temporarily impact approximately 14,004 square feet of forested and scrub-shrub wetlands and an intermittent stream in and adjacent to Salem Prime Wetland #2 to construct a roadway to provide access to a senior housing community on approximately 83 acres. Preserve through conservation easement approximately 39 acres on-site, including approximately 30.3 acres of forested wetlands and approximately 8.7 acres of contiguous upland buffer, and construct 8,588 square feet of forested wetlands on-site.

Conservation Commission/Staff Comments:

In a letter to the DES Wetlands Bureau dated December 5, 2002 the Salem Conservation Commission (ConCom) recommended to approve the request for re-delineation of the boundary of Prime Wetland #2 and recommended to deny the application to fill Prime Wetland #2 for roadway construction. The Salem ConCom recommended an alternative roadway alignment that would not impact Prime Wetland #2 or the Town's Prime Wetland Buffer.

Inspection Date: 02/14/2003 by Christian P Williams

APPROVE AMENDMENT:

Permanently impact approximately 7,215 square feet and temporarily impact approximately 14,004 square feet of forested and scrub-shrub wetlands and an intermittent stream in and adjacent to Salem Prime Wetland #2 to construct a roadway to provide access to a senior housing community on approximately 83 acres. Preserve through conservation easement approximately 39 acres on-site, including approximately 30.3 acres of forested wetlands and approximately 8.7 acres of contiguous upland buffer, and construct 8,588 square feet of forested wetlands on-site.

With Conditions:

1. All work shall be in accordance with the Wetland Impact Overview Plan (Sheet 4 of 10), the NHDES Grading & Utility Plans (Sheets 5 & 6 of 10), the Roadway Plan & Profiles (Sheets 8 & 9 of 10) and the NHDES Construction Detail (Sheet 10 of 10) by TF Moran, Inc. dated October 23, 2002 and revised March 6, 2003, as received by the Department on March 12, 2003.
- 1a. Amendment request lessens the permanent impacts for the installation of the BEBO Concrete Arch System from 4,500 sq. ft. to 3,127 sq. ft. for a reduction of 1,373 sq. ft. resulting in a total permanent impact of 7,215 sq. ft. for the project per plan set stamped by Larry A. Abatiell, P.E. dated 8-1-05 as received by the Department on August 31, 2005 and plan sheet 8 of 55 by TFMoran, Inc. dated April 16, 2004 (last revised 8/29/05) as received by the Department on August 31, 2005.
2. This permit is contingent on approval by the DES Site Specific Program.
3. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
4. The deed for Salem Tax Map 109, Lot 7900 shall include the conditions of this permit.
5. The applicant shall notify the DES Wetlands Bureau and the Salem Conservation Commission in writing at least 48 hours prior to the commencement of project construction.
6. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
7. There shall be no additional vehicular access to the site from Veterans Memorial Parkway.
8. The applicant shall coordinate with the NH Division of Historic Resources to assess and mitigate the project's effect on historic resources.
9. Work shall be conducted during low flow conditions.
10. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
11. Appropriate erosion, siltation and turbidity controls shall be installed prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
12. Proper headwalls shall be constructed within seven days of culvert installation.
13. Stone aprons shall be installed at culvert outlets where appropriate to dissipate flow velocities and prevent scour and erosion.
14. Dredged material shall be placed out of any area that is within the jurisdiction of the DES Wetlands Bureau.

15. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
16. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
17. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
18. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
19. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

Wetland Preservation:

20. This permit is contingent upon the execution of a conservation easement on approximately 39 acres as depicted on the Wetland Impact Overview Plan by TF Moran, Inc. dated October 23, 2002 and revised March 6, 2003, as received by the Department on March 12, 2003.
21. The conservation easement to be placed on the preservation areas shall be written to run with the land, and both existing and future property owners shall be subject to this easement.
22. The plan noting the conservation easement with a copy of the final easement language shall be recorded with the Registry of Deeds Office for each appropriate lot. A copy of the recording from the County Registry of Deeds Office shall be submitted to the DES Wetlands Bureau prior to construction.
23. The conservation easement area shall be surveyed by a licensed surveyor, and marked by monuments [stakes] prior to construction.
24. Signs to indicate the location of and restrictions on the area shall be posted every 150 feet along the boundary of the conservation area prior to construction.
25. There shall be no removal of the existing vegetative undergrowth within the easement area and the placement of fill, construction of structures, and storage of vehicles or hazardous materials is prohibited.
26. Activities in contravention of the conservation easement shall be construed as a violation of RSA 482-A, and those activities shall be subject to the enforcement powers of the Department of Environmental Services.

Wetland Creation:

27. This permit is contingent upon the creation of 8,588 square feet of wetlands in accordance with the Wetland Impact Overview Plan (Sheet 4 of 10) and the NHDES Grading & Utility Plan (Sheet 6 of 10) by TF Moran, Inc. dated October 23, 2002 and revised March 6, 2003, as received by the Department on March 12, 2003.
28. The schedule for construction of the wetland creation area shall coincide with site development unless otherwise considered and authorized by the Wetlands Bureau.
29. The wetland creation area shall be properly constructed, monitored, and managed in accordance with approved final mitigation plans, and remedial actions shall be taken as necessary to create functioning wetlands similar to those wetlands destroyed by the project. Remedial measures may include replanting, relocating plantings, removal of invasive species, changing soil composition and depth, changing the elevation of the wetland surface, and changing the hydraulic regime.
30. The permittee shall designate a qualified professional who shall have the responsibility to monitor and ensure that the wetland creation area is constructed in accordance with the mitigation plan, that monitoring is accomplished in a timely fashion, and that remedial measures are taken if necessary. The Wetlands Bureau shall be notified in writing of the designated professional prior to the start of work and if there is a change of status during the project.
31. A post-construction report documenting the status of the wetland creation area shall be submitted to the DES Wetlands Bureau within 60 days of the completion of the wetland creation area.
32. The permittee shall conduct a follow-up inspection after the first growing season to review the success of the wetland creation area and schedule remedial actions if necessary. A report outlining these follow-up measures and a schedule for completing the remedial work shall be submitted to the DES Wetlands Bureau by December 1 of that year. Similar inspections, reports and remedial actions shall be undertaken in at least the second and third years following the initial completion of the wetland creation area.
33. The wetland creation area shall have at least 75% successful establishment of wetlands vegetation after two (2) growing seasons, or it shall be replanted and re-established until a functional wetland is replicated in a manner satisfactory to the DES Wetlands Bureau.

34. After at least five full growing seasons, the permittee shall delineate the wetlands within the wetland creation area and document the delineation with data forms and depict the delineation as an overlay of the final as-built plans.
35. Wetland soils from areas vegetated with purple loosestrife shall not be used in the wetland creation area. In other areas where the permittee considers spreading the spoils, the potential for the establishment of the invasive species should be considered to limit its further establishment.
36. The permittee shall attempt to control invasive, weedy species such as purple loosestrife (*Lythrum salicaria*) and common reed (*Phragmites australis*) by measures agreed upon by the Wetlands Bureau if the species is found in the wetland creation area during construction and during the early stages of vegetative establishment.

With Findings:

1. The project is categorized as a Major Project, per Administrative Rules Wt 303.02(c) and Wt 303.02(f), as the project involves alteration of greater than 20,000 square feet of nontidal wetlands and surface waters, and as the project is located in and adjacent to designated prime wetlands under RSA 482-A:15.
2. To minimize permanent impacts to Salem Prime Wetland #2, the applicant is proposing to construct a bridge over a portion of the Prime Wetland.
3. The access roadway has been re-aligned to avoid impacts to potential vernal pool habitat.
4. The Wetlands Bureau finds that access to the site off Cluff Road is not a practicable alternative due to engineering constraints and safety issues.
5. The applicant has submitted revised plans to the DES Wetlands Bureau depicting a more precise delineation of the Prime Wetland boundary, in accordance with Rule Wt 703.04. Based on review of the revised plans, the DES Wetlands Bureau hereby approves the revised Prime Wetland boundary.
6. In a letter dated July 19, 2001, the NH Natural Heritage Inventory (NHI) identified the presence of one sensitive species, swamp azalea, and an exemplary natural community, a Southern New England floodplain forest, in the vicinity of the project area.
7. Based on information contained in the application the Department finds that the swamp azalea area identified by the NH NHI is located east of the proposed access roadway in an area that will be incorporated into the proposed on-site conservation easement area. As a result, the Department finds that the proposed project will not adversely affect the swamp azalea area on site. Furthermore, the Department finds that the proposed project will not adversely affect the Southern New England floodplain forest located across Cluff Road from the project site.
8. To compensate for permanent project related wetlands and surface waters impacts the applicant is proposing to preserve through conservation easement approximately 39 acres on-site, including approximately 30.3 acres of forested wetlands and approximately 8.7 acres of contiguous upland buffer, and construct approximately 8,588 square feet of forested wetlands on-site.
9. The proposed wetlands mitigation plan exceeds the recommended compensatory mitigation ratios described in DES Wetlands Bureau's Guidance on Wetlands Compensatory Mitigation.
10. In a letter to the DES Wetlands Bureau dated December 5, 2002 the Salem Conservation Commission recommended to approve the request for re-delineation of the boundary of Prime Wetland #2 and recommended to deny the application to fill Prime Wetland #2 for roadway construction.
11. DES Wetlands Bureau staff conducted a field inspection of the project site on February 14, 2003.
12. On March 12, 2003 the DES Wetlands Bureau conducted a Prime Wetland Public Hearing for the proposed project, in accordance with Rule Wt 703.03. Four members of the Salem Conservation Commission expressed their opposition to the project. Conservation Commission opposition focused primarily on the proposed access road alignment. The Salem Conservation Commission members recommended moving the access road closer to the western boundary of the lot to avoid direct impacts to Prime Wetland #2.
13. Based on information contained in a letter from Transportation Engineering, Planning and Policy LLC dated January 9, 2003, the Department finds that moving the access road closer to the western boundary of the lot would create undesirable traffic operations and jeopardize public safety.

2005-02281 **CHILDS, MONTGOMERY**
DOVER **Cocheco River**

Requested Action:

Construct a 6 ft. x 6 ft. platform pier to a 36 ft. x 3 ft. ramp to a 20 ft. x 10 ft. float, overall structure length is 49 ft., providing one undersized slip on 1170 feet of frontage.

Conservation Commission/Staff Comments:

Con Com wishes to intervene. No further correspondence.

Inspection Date: 12/06/2005 by Dori A Wiggin

APPROVE PERMIT:

Construct a 6 ft. x 6 ft. platform pier to a 36 ft. x 3 ft. ramp to a 20 ft. x 10 ft. float, overall structure length is 49 ft., providing one undersized slip on 1170 feet of frontage.

With Conditions:

THIS APPROVAL IS SUBJECT TO THE FOLLOWING PROJECT SPECIFIC CONDITIONS:

1. All work shall be in accordance with plans by Pickering Marine Corporation dated September 20, 2005, as received by the Department on September 26, 2005.
2. Any future work in jurisdiction as specified in RSA 482-A on this property will require a new application and approval by the Department of Environmental Services ("DES") Wetlands Bureau.
3. This permit shall not be effective until recorded at the Registry of Deeds Office by the permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau prior to construction.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain in until the area is stabilized.
5. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing, by mulching with tack or netting and pinning on slopes steeper than 3:1.
6. This shall be the only structure on this water frontage and all portions of the dock shall be at least 20 ft. from abutting property lines or the imaginary extension of those lines into the water.
7. Work shall be done during low tide.
8. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
9. Work shall be conducted in a manner that avoids excessive discharges of sediments to fish spawning areas.

GENERAL CONDITIONS WHICH APPLY TO ALL DES WETLANDS PERMITS:

1. A copy of this permit shall be posted on site during construction in a prominent location visible to inspecting personnel;
2. This permit does not convey a property right, nor authorize any injury to property of others, nor invasion of rights of others;
3. The Wetlands Bureau shall be notified upon completion of work;
4. This permit does not relieve the applicant from the obligation to obtain other local, state or federal permits that may be required (see attached form for status of federal wetlands permit);
5. Transfer of this permit to a new owner shall require notification to and approval by the Department;
6. This permit shall not be extended beyond the current expiration date.
7. This project has been screened for potential impacts to known occurrences of rare species and exemplary natural communities in the immediate area. Since many areas have never been surveyed, or have received only cursory inventories, unidentified sensitive species or communities may be present. This permit does not absolve the permittee from due diligence in regard to state, local or federal laws regarding such communities or species.
8. The permittee shall coordinate with the NH Division of Historic Resources to assess and mitigate the project's effect on historic resources.

With Findings:

The decision to approve this application was based on the following findings:

1. This is a major impact project per Administrative Rule Wt 303.02(a), projects in sand dunes, tidal wetlands, or bogs, except for the repair of existing structures pursuant to Wt 303.04(v).
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01. The applicant currently has no docking structure on the property.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to

areas and environments under the department's jurisdiction per Wt 302.03. The permanent pier is designed at one foot of height for each foot of structure width, with 3/4 inch spacing between decking to prevent shading of the tidal vegetation; has a seasonal ramp and float; and is the minimum length necessary to reach usable water on Cocheco River.

4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) and (c), Requirements for Application Evaluation, has been considered in the design of the project. There were no NH Natural Heritage Bureau or NH Fish and Game hits for this project; this project has been reviewed by the Pease Development Authority Division of Ports and Harbors which determined that the project would have no negative effect on navigation in the channel; and the dock is located greater than 20 feet off the abutting property lines.

5. This dock is consistent with other tidal dock approvals in the seacoast.

6. Public hearing is waived based on DES staff field inspection on December 6, 2005 with the finding that the project impacts will not significantly impair the resources of this estuarine wetland ecosystem.

-Send to Governor and Executive Council-

2005-02290 ONEILL, CHRISTOPHER
PORTSMOUTH Sagamore Creek

Requested Action:

Construct a 10 ft. x 6 ft pier to a 40 ft. x 3 ft. ramp to a 20 ft. x 10 ft. float, overall structure length is 67 ft., providing one undersized slip on 188 ft. of frontage.

Conservation Commission/Staff Comments:

Conservation Commission recommends approval.

Inspection Date: 12/06/2005 by Dori A Wiggin

APPROVE PERMIT:

Construct a 10 ft. x 6 ft pier to a 40 ft. x 3 ft. ramp to a 20 ft. x 10 ft. float, overall structure length is 67 ft., providing one undersized slip on 188 ft. of frontage.

With Conditions:

THIS APPROVAL IS SUBJECT TO THE FOLLOWING PROJECT SPECIFIC CONDITIONS:

1. All work shall be in accordance with plans by Pickering Marine Corporation dated September 24, 2005, as received by the Department on September 27, 2005.
2. Any future work in jurisdiction as specified in RSA 482-A on this property will require a new application and approval by the Department of Environmental Services ("DES") Wetlands Bureau.
3. This permit shall not be effective until recorded at the Registry of Deeds Office by the permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau prior to construction.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain in until the area is stabilized.
5. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing, by mulching with tack or netting and pinning on slopes steeper than 3:1.
6. This shall be the only structure on this water frontage and all portions of the dock shall be at least 20 ft. from abutting property lines or the imaginary extension of those lines into the water.
7. Work shall be done during low tide.
8. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
9. Work shall be conducted in a manner that avoids excessive discharges of sediments to fish spawning areas.

GENERAL CONDITIONS WHICH APPLY TO ALL DES WETLANDS PERMITS:

1. A copy of this permit shall be posted on site during construction in a prominent location visible to inspecting personnel;
2. This permit does not convey a property right, nor authorize any injury to property of others, nor invasion of rights of others;
3. The Wetlands Bureau shall be notified upon completion of work;
4. This permit does not relieve the applicant from the obligation to obtain other local, state or federal permits that may be required (see attached form for status of federal wetlands permit);
5. Transfer of this permit to a new owner shall require notification to and approval by the Department;
6. This permit shall not be extended beyond the current expiration date.
7. This project has been screened for potential impacts to known occurrences of rare species and exemplary natural communities in the immediate area. Since many areas have never been surveyed, or have received only cursory inventories, unidentified sensitive species or communities may be present. This permit does not absolve the permittee from due diligence in regard to state, local or federal laws regarding such communities or species.
8. The permittee shall coordinate with the NH Division of Historic Resources to assess and mitigate the project's effect on historic resources.

With Findings:

The decision to approve this application was based on the following findings:

1. This is a major impact project per Administrative Rule Wt 303.02(a), projects in sand dunes, tidal wetlands, or bogs, except for the repair of existing structures pursuant to Wt 303.04(v).
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01. The applicant currently has no docking structure on the property.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03. The permanent pier is designed at one foot of height for each foot of structure width, with 3/4 inch spacing between decking to prevent shading of the tidal vegetation; has a seasonal ramp and float; and is the minimum length necessary to reach usable water on Sagamore Creek.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) and (c), Requirements for Application Evaluation, has been considered in the design of the project. There were no NH Natural Heritage Bureau or NH Fish and Game hits for this project; this project has been reviewed by the Pease Development Authority Division of Ports and Harbors which determined that the project would have no negative effect on navigation in the channel; and the dock is located greater than 20 feet off the abutting property lines.
5. This dock is consistent with other tidal dock approvals in the seacoast.
6. Public hearing is waived based on DES staff field inspection on December 6, 2005 with the finding that the project impacts will not significantly impair the resources of this estuarine wetland ecosystem.

Any party may apply for reconsideration with respect to any matter determined in this action within 20 days from the date of this letter. A motion for reconsideration must specify all grounds upon which future appeals may be based, and should include information not available to the Department when the decision was made. The department may grant reconsideration if, in its opinion, good reason is provided in the motion.

Your permit must be signed, and a copy must be posted in a prominent location on site during construction. If you have any questions please contact our office at (603) 271-2147.

-Send to Governor and Executive Council-

MINOR IMPACT PROJECT

2000-01172 TAMPOSI, MEREDITH
TEMPLE Unnamed Stream Unnamed Wetland

2005-00453 THOMAS, CYNTHIA & DUGAL
MADBURY Unnamed Wetland

Requested Action:

Impact 9,680 square feet of forested wetland to construct a 1,300 linear foot driveway to access buildable uplands for a single family residential lot of 56.4 acres as part of a 2-lot subdivision.

WITHDRAW APPLICATION:

Agent requested to withdraw application.

2005-00669 BOGNASKI, MATTHEW
DEERFIELD Unnamed Wetland

Requested Action:

Dredge and fill a total of 8,800 square feet of wetlands to construct 5 road crossings for development of a 16-lot subdivision on 95 acres, including: Impact #1, 245 square feet for shoulder grading; Impact #2, 1,460 square feet for roadbed; Impact #3, 4,614 square feet and installation of a 4' x 3' x 79' box culvert; Impact #4, 2,383 square feet and installation of a 18" x 61' culvert; Impact #5, 98 square feet for shoulder fill.

Conservation Commission/Staff Comments:

Conservation Commission did not report.

APPROVE PERMIT:

Dredge and fill a total of 8,800 square feet of wetlands to construct 5 road crossings for development of a 16-lot subdivision on 95 acres, including: Impact #1, 245 square feet for shoulder grading; Impact #2, 1,460 square feet for roadbed; Impact #3, 4,614 square feet and installation of a 4' x 3' x 79' box culvert; Impact #4, 2,383 square feet and installation of a 18" x 61' culvert; Impact #5, 98 square feet for shoulder fill.

With Conditions:

1. All work shall be in accordance with revised plans by True Engineering dated 1/18/2006, as received by the Department on 2/8/2006.
2. This permit is contingent on approval by the DES Site Specific Program.
3. This permit is contingent on approval by the DES Subsurface Systems Bureau.
4. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau.
5. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
6. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #5 of this approval.
7. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control

Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

8. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
9. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
10. Silt fencing must be removed once the area is stabilized.
11. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
12. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
13. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
14. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
15. Proper headwalls shall be constructed within seven days of culvert installation.
16. Culvert outlets shall be protected in accordance with the DES Best Management Practices for Urban Stormwater Runoff Manual (January 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August 1992).
17. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
18. Work shall be done during low flow.

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(h), projects involving alteration of less than 20,000 square feet of non-tidal wetlands in the aggregate that exceed minimum impact.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01. The applicant must cross wetlands at some locations on the lot to access buildable uplands.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03. The applicant has eliminated 3 crossings originally applied for and reduced the total impact from 13,272 square feet to the current 8,800 square feet.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project. There are no NHI hits for this project, nor does the project cross perennial streams.

2005-00970 NH DEPT OF TRANSPORTATION
SWANZEY Unnamed Stream

Requested Action:

Replace twin 30 in. x 26.5 ft. coverts with twin 30 in. x 37 ft. culverts; remove headwalls and install end sections. NHDOT project #2005M-406-1.

Conservation Commission/Staff Comments:

Cons. Comm. - no comment

Inspection Date: 02/08/2006 by Gino E Infascelli

APPROVE AFTER THE FACT:

Approve as an after the fact permit to: Replace twin 30 in. x 26.5 ft. culverts with twin 24 in. x 50 ft. culverts; remove and replace headwalls. NHDOT project #2005M-406-1.

With Conditions:

1. Any future work on this project that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(1), alteration of less than 200 linear feet of stream.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
5. DES Staff conducted a field inspection of the proposed project on February 8, 2006 found the project completed with an additional 23 feet of culvert than that requested (50 linear feet).
6. Inspection determined this work was necessary as a result of the flooding events of October 2005 and the amount of work was a reasonable solution to rebuild the roadway and provide a safe travel way for the public.
7. It was estimated that the brook flooded about 110 feet in width across the road based on the amount of debris.

2005-01691 STG REALTY ASSOCIATES LLC
LONDONDERRY Unnamed Wetland

Conservation Commission/Staff Comments:

The Londonderry Conservation Commission voted to recommend approval of the application.

APPROVE PERMIT:

Dredge and fill approximately 6,803 square feet of forested and emergent wetlands for additional parking and enlargement of an existing detention basin for expansion of an existing Workout Club and Wellness Center. Work includes dredging of approximately 4,126 square feet of an existing detention basin and filling of approximately 2,677 square feet of forested wetlands to construct additional parking and stormwater treatment.

With Conditions:

1. All work shall be in accordance with plans by TFMORAN Inc., sheets 1 through 6, 11, 15, 16 and 17 of 22, revision dated January 6, 2006, as received by the Department on February 1, 2006 and sheet 13 of 22, as received by the Department on March 1, 2006.
2. This permit is contingent on approval by the DES Site Specific Program.
3. This permit is contingent on approval by the DES Dam Safety Program.
4. This permit is contingent on approval by the DES Subsurface Systems Bureau.
5. Work shall be done during low or no flow condition.
6. All work within jurisdictional wetlands or surface waters shall occur at least 20 feet from the abutting property line. If work is to be conducted within 20 feet of the abutting property line the applicant shall obtain a written agreement from the affected abutter and submit it to the Department for review and approval before the commencement of work.
7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized.
8. Silt fence(s) must be removed once the area is stabilized.
9. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
10. Dredged material shall be placed outside of the jurisdiction of the Department.
11. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
12. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
13. Culvert outlets shall be protected in accordance with the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

14. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
15. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands.
16. Faulty equipment shall be repaired prior to entering jurisdictional areas.
17. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
18. All refueling of equipment shall occur outside of surface waters or wetlands during construction.

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(h), Projects involving less than 20,000 square feet of alteration in the aggregate in nontidal wetlands, nontidal surface waters, or banks adjacent to nontidal surface waters which exceed the criteria of Wt 303.04 (f).
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The proposed project is for the expansion of an existing site.
6. The applicant stated a variance has been obtained from the Town of Londonderry to reduce the number of required parking spaces to minimize wetland impacts.
7. Approximately 4,126 square feet of the proposed wetland impacts are for the enlargement of a previously constructed detention basin.
8. The Natural Heritage Bureau (NHB) and New Hampshire Fish and Game Department (NHFG) records indicated that New England cottontail and wood turtle occur near the site. However, the NHFG reviewed the project and determined that the site is unsuitable for the New England cottontail and wood turtle because their preferred habitats are not present in sufficient quantity or quality.
9. Wetland Impact Plan, sheet 1 of 1, dated July 25, 2005, as received by the Department on July 27, 2005, is to be used for wetland delineation documentation in accordance with New Hampshire Administrative Rule Wt 301.01.
10. This permit is contingent on approval by the DES Site Specific Program.
11. This permit is contingent on approval by the DES Dam Safety Program.
12. This permit is contingent on approval by the DES Subsurface Systems Bureau.

2005-01959 GALLAGHER, JANE
HAMPTON Hampton Harbor

Requested Action:

Excavate, grade or otherwise alter terrain totaling 1,195 sq. ft. in the previously disturbed tidal buffer zone to: fill to match grade of abutting property (Hampton Tax Map 295/ Lot# 63) to assure proper drainage; add rock to existing rip-rap shoreline armor, not to exceed height of abutting stonework; and to install a wooden fence along the easterly property line.

Conservation Commission/Staff Comments:

The Hampton Conservation Commission "... does not oppose the granting of a wetlands permit for [this project]..."

Inspection Date: 08/16/2005 by Frank D Richardson

APPROVE PERMIT:

Excavate, grade or otherwise alter terrain totaling 1,195 sq. ft. in the previously disturbed tidal buffer zone to: fill to match grade of abutting property (Hampton Tax Map 295/ Lot# 63) to assure proper drainage; add rock to existing rip-rap shoreline armor, not to exceed height of abutting stonework; and to install a wooden fence along the easterly property line.

With Conditions:

1. All work shall be in accordance with plans by Ames MSC Architects & Engineers dated October 25, 2005 (last revised 12/07/05), as received by the Department on January 17, 2006.
2. There shall be no further alteration of areas within NH DES Wetlands Bureau jurisdiction for lot development or for any other construction activities on this lot whatsoever.
3. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. DES Wetlands Bureau Coastal staff and the Hampton Conservation Commission shall be notified in writing prior to commencement of work and upon its completion.
6. The permittee shall comply with all Town of Hampton ordinances regarding the installation of the fence along the easterly property line.

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(a)&(b).
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. DES Coastal Staff conducted a field inspection of the proposed project on August 16, 2005. Field inspection determined the project as proposed is reasonable to assure proper drainage and will have no adverse effect on nearby fringe salt marsh.

2005-02329

BLUE SKY ENTERPRISES

BELMONT Unnamed Stream

Requested Action:

Dredge and fill 150 square feet of palustrine forested wetland for bridge installation (7 foot span 3 foot height and 20 ft width) over a perennial stream for forestry access.

APPROVE PERMIT:

Dredge and fill 150 square feet of palustrine forested wetland for bridge installation (7 foot span 3 foot height and 20 ft width) over a perennial stream for forestry access.

With Conditions:

1. All work shall be in accordance with plans by Howard Warren dated January 12, 2006, as received by the Department on January 18, 2006.
2. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
3. Work shall be done during low flow.
4. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
6. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
7. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(h), Projects involving less than 20,000 square feet of alteration in the aggregate in nontidal wetlands, nontidal surface waters, or banks adjacent to nontidal surface waters which exceed the criteria of Wt 303.04(f).

2. The applicant applied for and received a permit to dredge and fill approximately 1500 square feet of two unnamed perennial streams including installation of two 56-inch x 81-inch x 30-foot culverts for forestry access on this same lot within the last 5 years. (2003-02633)
3. This crossing will allow access to an additional upland area in this property which is managed for forestry purposes.
4. This is the only access to this upland area.
5. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
6. The applicant has provided an open bottom structure for this crossing of a perennial stream as requested by the Department.
7. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
8. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

2005-02393 MACCORMACK, ROBERT & MARIE
MOULTONBOROUGH Lake Winnepesaukee

Requested Action:

Approve name change to: Robert & Marie MacCormack, PO Box 535, Billerica MA 01821 per request received 3/1/06.

APPROVE NAME CHANGE:

Remove existing 6 ft x 40 ft seasonal pier from the frontage and construct a 6 ft x 38 ft piling pier with 6 ft x 7 ft 6 in access steps, drive 3 tie-off pilings and a 3 piling ice cluster, install a seasonal boatlift and seasonal canopy, two PWC lifts, and relocate 2 rocks posing hazard to navigation on 109 ft of frontage in Moultonborough on Lake Winnepesaukee.

With Conditions:

1. All work shall be in accordance with plans by Watermark Marine Construction dated February 7, 2006 as received by the Department on February 13, 2006.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
4. These shall be the only structures on this water frontage and all portions of the structures, shall be at least 20 ft from the abutting property lines or the imaginary extension of those lines into the water.
5. Permanent pier shall not extend more than 38 ft lakeward of the reference line elevation 504.32.
6. Dock access stairs shall not exceed 6 ft in width.
7. Dock access stairs shall be constructed over the bank. This permit does not allow the stairs to be recessed into the bank.
8. Seasonal canopy shall not exceed 20 ft in height, as measured from the reference line elevation 504.32.
9. Seasonal boatlift, seasonal PWC lifts, and seasonal canopy shall be removed for four months during the non-boating season.
10. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
11. Dredged rocks shall be deposited as indicated on approved plans. Rock relocation, other than as permitted, shall be subject to further DES review and approval prior to work.
12. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
13. Any further alteration of areas on this property not indicated on the revised plans, that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
14. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(m), construction of a permanent 2 slip docking facility.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.

3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

Requested Action:

Remove existing 6 ft x 40 ft seasonal pier from the frontage and construct a 6 ft x 38 ft piling pier with 6 ft x 7 ft 6 in access steps, drive 3 tie-off pilings and a 3 piling ice cluster, install a seasonal boatlift and seasonal canopy, two PWC lifts, and relocate 2 rocks posing hazard to navigation on 109 ft of frontage in Moultonborough on Lake Winnepesaukee.

APPROVE PERMIT:

Remove existing 6 ft x 40 ft seasonal pier from the frontage and construct a 6 ft x 38 ft piling pier with 6 ft x 7 ft 6 in access steps, drive 3 tie-off pilings and a 3 piling ice cluster, install a seasonal boatlift and seasonal canopy, two PWC lifts, and relocate 2 rocks posing hazard to navigation on 109 ft of frontage in Moultonborough on Lake Winnepesaukee.

With Conditions:

1. All work shall be in accordance with plans by Watermark Marine Construction dated February 7, 2006 as received by the Department on February 13, 2006.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
4. These shall be the only structures on this water frontage and all portions of the structures, shall be at least 20 ft from the abutting property lines or the imaginary extension of those lines into the water.
5. Permanent pier shall not extend more than 38 ft lakeward of the reference line elevation 504.32.
6. Dock access stairs shall not exceed 6 ft in width.
7. Dock access stairs shall be constructed over the bank. This permit does not allow the stairs to be recessed into the bank.
8. Seasonal canopy shall not exceed 20 ft in height, as measured from the reference line elevation 504.32.
9. Seasonal boatlift, seasonal PWC lifts, and seasonal canopy shall be removed for four months during the non-boating season.
10. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
11. Dredged rocks shall be deposited as indicated on approved plans. Rock relocation, other than as permitted, shall be subject to further DES review and approval prior to work.
12. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
13. Any further alteration of areas on this property not indicated on the revised plans, that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
14. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(m), construction of a permanent 2 slip docking facility.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

Requested Action:

Dredge and fill 2250 square feet within the bank of Lake Winnepesaukee and 1140 square feet of man made drainage ditch for road construction and drainage improvements in the subdivision of 125.4 acres into 38 single family residential lots and 4 common lots.

Inspection Date: 01/25/2006 by Jeffrey D Blecharczyk

APPROVE PERMIT:

Dredge and fill 2250 square feet within the bank of Lake Winnepesaukee and 1140 square feet of man made drainage ditch for road construction and drainage improvements in the subdivision of 125.4 acres into 38 single family residential lots and 4 common lots.

With Conditions:

1. All work shall be in accordance with plans by White Mountain Survey dated October 6, 2005, as received by the Department on February 6, 2006, and Subdivision plans by White Mountain Survey dated August 17, 2005, as received by the Department on October 17, 2005.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. This permit is contingent on approval by the DES Site Specific Program.
4. At least 48 hours prior to the start of construction, a pre-construction meeting shall be held with NHDES Land Resources Management Program staff at the project site or at the DES Office in Concord, NH to review the conditions of this wetlands permit and the NHDES Site Specific Permit. It shall be the responsibility of the permittee to schedule the pre-construction meeting, and the meeting shall be attended by the permittee, his/her professional engineer(s), wetlands scientist(s), and the contractor(s) responsible for performing the work.
5. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
6. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #5 of this approval.
7. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau.
8. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
9. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized.
10. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
11. Dredged or excavated material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
12. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
13. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
14. Silt fencing must be removed once the area is stabilized.
15. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
16. A post-construction report documenting the status of the completed rip-rap outfalls, including photographs shall be submitted to the Wetlands Bureau by May 1, 2006. A follow up report illustrating the status of the outfalls at the end of the growing season shall be submitted by December 1, 2006.
17. The applicant shall provide a full tree inventory in accordance with Env-Ws 1409.03, for the protected shorelands within this subdivision by July 1, 2006.
18. A copy of the restrictive covenants for the development shall be submitted to NHDES by May 1, 2006.
19. DES Wetlands Bureau Staff shall review the parameters of the proposed restrictive covenants prior to recordation with the Belknap County Registry of Deeds. NHDES Wetlands Bureau must agree in writing that the restrictions comply with RSA 483-B.
20. The purchaser/developer shall schedule and attend a consultation meeting with NHDES Shoreland Program staff to be held at the project site or at the DES Office in Concord, NH to review any proposed plans for the development of any lands within the shorelands protected under RSA 483-B for compliance with RSA 483-B prior to the application for permits for work within those lands. It shall be the responsibility of the property owner to schedule this meeting, and the meeting shall be attended by the

property owner and his/her professional engineer(s), architect, or the contractor(s) responsible for performing the work.

21. The deed which accompanies the sales transaction for each of the lots within the Shoreland Protection Zone in this subdivision shall contain condition #20 of this approval.

22. Excluding the permitted impact areas no stumps shall be removed within 50 feet of the reference line per RSA 483-B (see attached fact sheet).

23. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(k), projects that disturb between 50 and 200 linear feet, measured along the shoreline, of a lake or pond or its bank and do not meet the criteria of Wt 303.02.
2. The proposal will safely convey treated stormwater to Lake Winnepesaukee in a 25-year storm event.
3. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
4. NH Fish and Game expressed concerns with discharge of stormwater into Lake Winnepesaukee due to the proximity of spawning areas.
5. The stormwater will be treated prior to discharge into Lake Winnepesaukee, per Site Specific Permit number WPS-7355.
6. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
7. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
8. DES Staff conducted a field inspection of the proposed project on January 25, 2006. Field inspection determined that the construction sequence required per Site Specific Permit number WPS-7355 had not been followed in that drainage structures were not completed and stabilized prior to the construction and modification of the roads for the subdivision.
9. This approval shall not precluded the Department of Environmental Services from taking any appropriate compliance actions relative to the failure to adhere to the construction sequence as required.
10. The applicant has addressed all of the parameters required by Wt 304.09.
11. The Wolfeboro Conservation Commission has no concerns with the proposed application.

**2005-02705 SPAULDING, WHITNEY
HANOVER Unnamed Wetland**

Requested Action:

Dredge and fill approximately 5,832 square feet of wetlands and approximately 25 linear feet of Mink Brook to upgrade existing woods road and install bridge for access to the remaining approximate 91 acre lot for forestry and recreational use, further described as follows:

1. Permanently impact 5,632 square feet of wetlands and 25 linear feet of Mink Brook bank for woods road and bridge construction; and
2. Temporarily impact 200 square feet of Mink Brook bed and bank for existing bridge removal.

Conservation Commission/Staff Comments:

No final lot numbers established, see phone note 2/28/06.

The Conservation Com. supports the application and has the following comments:

1. The right loop of the drive should be pulled back toward the barn to avoid driveway impacts to the easterly wetland.
2. The woods road should be shifted to the south between station 14.5 and 15.0 in order to have less impact on wetlands.
3. All remains of the former log bridge (dirt and stingers) be removed following this sequence: pull material to the west side of the brook; stock pile temporarily ideally out of the wetland setback and with appropriate erosion controls; after bridge is built, move material to an area on the west side of the brook out of the wetlands setback.
4. Work should be conducted during low flow.
5. Alternative 1 is not a viable option and alternative 3 is not preferred.

APPROVE PERMIT:

Dredge and fill approximately 5,832 square feet of wetlands and approximately 25 linear feet of Mink Brook to upgrade existing

woods road and install bridge for access to the remaining approximate 91 acre lot for forestry and recreational use, further described as follows:

1. Permanently impact 5,632 square feet of wetlands and 25 linear feet of Mink Brook bank for woods road and bridge construction; and
2. Temporarily impact 200 square feet of Mink Brook bed and bank for existing bridge removal.

With Conditions:

1. All work shall be in accordance with plans by Pathways Consulting, LLC. dated October 26, 2005 and revised though January 01, 2006, as received by the Department on February 13, 2006.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. This permit is contingent upon the receipt of evidence of the final lot numbers.
4. A permit amendment shall be requested by the applicant if final lot numbers are different than stated in this permit.
5. There shall be no further alteration of wetlands on lot 6-6-1(3.02 acre) for lot development, driveways, culverts, or for septic setback.
6. Any future work on lot 6-6-2 (90.98 acre) that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A or change of access use to non-forestry or non-recreation will require a new application or approval by the Bureau.
7. The deed which accompanies the sales transaction for lot 6-6-1(3.02 acre) shall contain condition #5 of this approval.
8. The deed which accompanies the sales transaction for lot 6-6-2(90.98 acre) shall contain condition #6 of this approval.
9. Work shall be done during low flow.
10. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
11. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
12. There shall be no excavation or operation of construction equipment in flowing water.
13. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
14. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands.
15. Faulty equipment shall be repaired prior to entering jurisdictional areas.
16. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
17. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
18. Extreme precautions shall be taken within riparian areas to limit unnecessary removal of vegetation during access road construction and areas cleared of vegetation to be revegetated with like native species within three days of the completion of this project.
19. Banks shall restored to their original grades and to a stable condition within three days of completion of construction.
20. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(h), projects involving less than 20,000 square feet of wetlands alteration.
2. Proposed impacts are for access to lot 6-6-2 (90.98 acre) for forestry and recreation. No alternate access exists.
3. Change of use of the access to lot 6-6-2 (90.98 acre) to non-forestry or non-recreation will require a new application or approval by the Bureau.
4. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
5. A total of four alternatives were presented. The proposed alternative is one of two preferred by the Town of Hanover, follows the existing woods road path, and also limits wetland impacts adjacent to Mink Brook.
6. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
7. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

Requested Action:

Dredge and fill 314 square feet of an intermittent stream (54 linear feet along the thread of the channel) and associated palustrine forested wetlands to install one (1) 18-inch x 20-foot culvert and associated inlet and outlet protection to construct a common driveway for access to three (3) lots of a 4-lot residential subdivision on an approximately 49 acre parcel.

Conservation Commission/Staff Comments:

The Conservation Commission takes no exception to the application and certified that the location of the crossing involves the least amount of wetlands impacts for access to the property.

APPROVE PERMIT:

Dredge and fill 314 square feet of an intermittent stream (54 linear feet along the thread of the channel) and associated palustrine forested wetlands to install one (1) 18-inch x 20-foot culvert and associated inlet and outlet protection to construct a common driveway for access to three (3) lots of a 4-lot residential subdivision on an approximately 49 acre parcel.

With Conditions:

1. All work shall be in accordance with plans by Holden Engineering & Surveying, Inc. dated February 15, 2006 (revised), as received by the DES Wetlands Bureau on February 15, 2006 and plans by Holden Engineering & Surveying, Inc. dated November 8, 2005, as received by the DES Wetlands Bureau on February 28, 2006.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. This permit shall not be effective until it has been recorded with the County Registry of Deeds by the Permittee and a copy of the registered permit has been received by the DES Wetlands Bureau.
4. The deed which accompanies the sales transaction of each lot in this subdivision shall contain condition #5 of this approval.
5. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
6. All work shall be done during low flow.
7. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
8. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
9. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August 1992).
10. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
11. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
12. Proper headwalls shall be constructed within seven days of culvert installation.
13. Orange construction fencing shall be placed at the limits of construction adjacent to each wetland impact area to prevent accidental encroachment on wetlands.
14. Construction equipment shall be inspected daily for leaking fuel, oil, and hydraulic fluid prior to entering surface waters or wetlands.
15. Faulty equipment shall be repaired prior to entering jurisdictional areas.
16. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
17. All refueling of equipment shall occur outside of surface waters or wetlands during construction.

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(l), projects that alter the course of or disturb less than 200 linear feet of an intermittent or perennial nontidal stream or river channel or its banks and do not meet the criteria for minimum impact under Wt 303.04(n).
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01. The impacts are necessary for the construction of a common driveway for access to three (3) lots of a 4-lot residential subdivision.

3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the DES Wetlands Bureau's jurisdiction per Wt 302.03. The subdivision was configured to minimize wetlands impacts by constructing a common driveway from Cedar Ridge Drive to access three (3) lots and avoiding additional wetlands crossings. Access to the property from Temple Road would require greater wetlands impacts.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. Per Wt 304.04, the proposed wetlands impacts are located 20 feet from an abutting property and do not require a written agreement from the abutter.
6. The intermittent stream and its associated wetlands drain northeast to an extensive wetland complex with an unnamed pond. The applicant is exploring potential easement holders for a conservation easement on the portion of the property containing the wetland complex and pond.
7. This permit is contingent on approval by the DES Subsurface Systems Bureau.

2006-00157 MOUNTAIN VIEW YACHT CLUB INC
GILFORD Lake Winnepesaukee

Requested Action:

Replace 481 linear ft of failing concrete bulkhead with steel sheet piling within an existing marina located in a dredged inlet with an average of 480 ft of frontage on Lake Winnepesaukee.

APPROVE PERMIT:

Replace 481 linear ft of failing concrete bulkhead with steel sheet piling within an existing marina located in a dredged inlet with an average of 480 ft of frontage on Lake Winnepesaukee.

With Conditions:

1. All work shall be in accordance with plans by Steven Smith dated October 12, 1999, revision date January 24, 2006, as received by the Department on January 26, 2006.
2. This approval does not authorize any work modifications to the existing docking structures.
3. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
4. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
5. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
7. This approval does not permit any dredge or fill in public waters.
8. All construction related debris shall be placed outside the jurisdiction of the DES Wetlands Bureau.
9. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(j), replacement of an existing wall that requires work in the water.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.

MINIMUM IMPACT PROJECT

2005-01024 ROLLINS, GLEN/ROSE MARIE
NORTHFIELD Unnamed Wetland

Requested Action:

Retain 2068 square feet of fill within a man made wetland isolated and repair the existing foundation drain.

APPROVE PERMIT:

Retain 2068 square feet of fill within a man made wetland isolated and repair the existing foundation drain.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(f), projects involving alteration of less than 3,000 square feet in swamps or wet meadows that are not in prime wetlands or do not meet the requirements of Wt 303.02(k), provided that no previous department permit has placed restrictions on the property of the applicant.
2. The wetland in question was created by an existing foundation drain and a failed septic system.
3. The wetland is an isolated pocket, not hydrologically connected to any other wetland.
4. The wetland assessment provided by the applicant determined that the wetland fails to have any of the physical characteristics necessary in providing for the typical wetland functions and values.
5. The existing failed septic system on the site has been replaced with a functioning system and is no longer contributing hydrology to the system.
6. The applicant has provided a letter of written agreement from the abutter, in accordance with Wt 304.04.

2005-01184 NH DEPT OF TRANSPORTATION
CHESTERFIELD Unnamed Stream

Requested Action:

Replace twin 36 in. x 58 ft. culverts with twin 36 in. x 68 ft. culverts and replace headwalls impacting 650 sq. ft. of stream and bank (500 sq. ft. temporary) due to significant culvert and headwall deterioration along with the narrow shoulder on the east side.

Conservation Commission/Staff Comments:

Cons. Comm. - no comments

Staff corrected USGS

Inspection Date: 02/08/2006 by Gino E Infascelli

APPROVE PERMIT:

Replace twin 36 in. x 58 ft. culverts with twin 36 in. x 68 ft. culverts and replace headwalls impacting 650 sq. ft. of stream and bank (500 sq. ft. temporary) due to significant culvert and headwall deterioration along with the narrow shoulder on the east side. NH DOT #2005-M405-2.

With Conditions:

1. All work shall be in accordance with plans by NHDOT dated 04/7/05 as received by the Department on May 27,2005.
2. Dredged material shall be placed out of the DES Wetlands Bureau jurisdiction.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
4. Construction equipment shall not be located within surface waters.
5. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or

netting and pinning on slopes steeper than 3:1.

6. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
7. Extreme precautions to be taken within riparian areas to limit unnecessary removal of vegetation during road construction and areas cleared of vegetation to be revegetated as quickly as possible.
8. There shall be no further alteration to wetlands or surface waters without amendment of this permit.
9. Proper headwalls shall be constructed within seven days of culvert installation.
10. Work shall be done during low flow.
11. The routing of flow from one culvert to another during construct shall be considered as part of the construction sequence.

With Findings:

1. This is a minimum impact project per Rule Wt 303.04(j), not exceeding 10 additional feet of encroachment.
2. The road shoulder is very narrow on the east side and the culvert extension is needed to provide for a safer travel way.
3. DES Staff conducted a field inspection of the proposed project on February 8, 2006. Field inspection determined the project location is approximately 700 north of North Hinsdale Rd. and the proposed work in Hubbard Brook, not an unnamed seasonal stream.
4. The road shoulder is very narrow on the east side and drops off about 10 feet. The 10 feet of additional culvert is needed to widen the shoulder for safety and the upstream headwall shows significant deterioration.
5. The construction sequence should probably divert the water from one culvert to the other and done during low flow to minimize the work in water.

2005-01760 KOCH & KOCH BUILDERS, LARRY KOCH
WEST SWANZEY Unnamed Stream

Requested Action:

Temporary impact of 42 linear feet (21 feet x 2) of stream bank and approximately 1,094 square feet of associated wetlands for the installation of a sewer line to service a proposed condominium development on one (1) lot of a three (3) lot subdivision.

Conservation Commission/Staff Comments:

The Conservation Commission approves of the project conditional on the restoration of the stream channel.

APPROVE AMENDMENT:

Temporary impact of 42 linear feet (21 feet x 2) of stream bank and approximately 1,094 square feet of associated wetlands for the installation of a sewer line to service a proposed condominium development on one (1) lot of a three (3) lot subdivision.

With Conditions:

1. All work shall be in accordance with plans by Christopher K. Danforth & Associates, LLC dated July 11, 2005, as received by the DES Wetlands Bureau on August 1, 2005; by A.C. Engineering & Consulting dated October 11, 2005, as received by the DES Wetlands Bureau on December 9, 2005; by Doughty Surveying dated December 2005, as received by the DES Wetlands Bureau on January 5, 2006; and by Christopher K. Danforth & Associates, LLC dated January 5, 2006, as received by the DES Wetlands Bureau on January 5, 2006.
2. This permit is contingent on approval by the DES Water Supply Engineering Bureau, Wells and Water Systems.
3. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau.
4. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback on lot 79-6.
5. The deed which accompanies the sales transaction for lot 79-6 in this subdivision shall contain condition #4 of this approval.
6. The owner of lot 79-6-3, as the lot is indicated on the subdivision plans, shall have the wetlands and surface waters on lot 79-6-3 delineated by a Certified Wetland Scientist prior to any future subdivision or alteration of wetlands or surface waters.
7. The deed which accompanies the sales transaction for lot 79-6-3 in this subdivision shall contain condition #6 of this approval.
8. Any future work on lot 79-6-3 or lot 79-6-2 that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA

482-A will require a new application and approval by the Bureau.

9. The pole ford crossing shall be removed and the stream channel shall be restored in accordance with the applicant's restoration plan.
10. Upon completion of the project, the applicant shall provide photographs of the project site including the restoration area to the DES Wetlands Bureau.
11. No fill shall be done for lot development.
12. All work shall be done during low flow.
13. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
14. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
15. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized.
16. Area shall be regraded to original contours following completion of work.
17. Silt fence(s) must be removed once the area is stabilized.
18. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
19. Construction equipment shall be inspected daily for leaking fuel, oil, and hydraulic fluid prior to entering surface waters or wetlands.
20. Faulty equipment shall be repaired prior to entering jurisdictional areas.
21. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
22. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
23. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(f), Projects involving alteration of less than 3,000 square feet in swamps or wet meadows that are not in prime wetlands or do not meet the requirements of Wt 303.02(k), provided that no previous department permit has placed restrictions on the property of the applicant.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01. The sewer line is required to connect to the municipal sewer system.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the DES Wetlands Bureau's jurisdiction per Wt 302.03. The construction of the sewer line will utilize an old logging access (pole ford) that crosses an unnamed stream.
4. DES Staff conducted a field inspection of the project site on September 22, 2005. Field inspection determined that restoration of the site should be addressed as part of the application for the sewer line construction.
5. Upon completion of construction, the pole ford crossing will be removed and the stream bank and bed will be restored per the submitted restoration plan.
6. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
7. The applicant has indicated that a subdivision of the parent tract is proposed which will result in three (3) lots. Lot 79-6-2, as indicated on the subdivision plans, will contain the wetlands impact area. No other wetlands impacts are proposed or will result from this phase of the project.
8. The applicant submitted a Concept Plan of Tax Map 79 Lot 6-2 by Doughty Surveying dated December 2005, and received by the DES Wetlands Bureau on February 8, 2006, proposing the future subdivision of lot 79-6-2 into two lots with two options for access, a common driveway and individual driveways. The applicant has stated that although the common driveway is the preferred alternative, the Town may require individual access for each lot. In this case, the applicant has proposed that the driveway be constructed over the utility easement. This alternative will require permanent wetlands impacts. Any future work on lot 79-6-2 that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.

2005-02179 MCGOUGH, JEAN
HAMPTON Saltmarsh

Requested Action:

In-kind replacement of 60 linear feet of deteriorated concrete retaining wall with cap to the same dimensions as existing wall and to be contiguous with in-kind replacement abutting wall at 56 Hobson Ave.

Conservation Commission/Staff Comments:

The Hampton Conservation Commission "... does not oppose the granting of a wetlands permit for reconstruction of the existing retaining wall at 52 Hobson Rd."

APPROVE PERMIT:

In-kind replacement of 60 linear feet of deteriorated concrete retaining wall with cap to the same dimensions as existing wall and to be contiguous with in-kind replacement abutting wall at 56 Hobson Ave.

With Conditions:

1. All work shall be in accordance with plans by Applicant dated 9/5/05, as received by the Department on September 15, 2005.
2. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
3. Repair shall maintain existing size (length, width & height) location and configuration.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. DES Wetlands Bureau Coastal staff shall be notified in writing prior to commencement of work and upon its completion.

2005-02270 WILKINSON, DOUGLAS & P. WILDINSON
HAMPTON Salt Marsh

Requested Action:

In-kind replacement of 48 linear feet of deteriorated concrete retaining wall with cap to the same dimensions as existing wall and to be contiguous with in-kind replacement abutting wall at 52 Hobson Ave.

Conservation Commission/Staff Comments:

The Hampton Conservation Commission "... does not oppose the granting of a wetlands permit for reconstruction of the existing retaining wall at 56 Hobson Rd."

APPROVE PERMIT:

In-kind replacement of 48 linear feet of deteriorated concrete retaining wall with cap to the same dimensions as existing wall and to be contiguous with in-kind replacement abutting wall at 52 Hobson Ave.

With Conditions:

1. All work shall be in accordance with plans by Applicant as received by the Department on November 09, 2005.
2. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
3. Repair shall maintain existing size (length, width & height) location and configuration.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. DES Wetlands Bureau Coastal staff shall be notified in writing prior to commencement of work and upon its completion.

2005-02564 ALTON, TOWN OF
ALTON Drainage Ditch

CONFIRM EMERGENCY AUTHORIZATION:

EMERGENCY AUTHORIZATION ISSUED on October 26, 2005 to remove sediment from approximately 60 square feet of a drainage ditch along Alton Mountain Road.

With Conditions:

The approval of this emergency authorization is subject to the following project-specific conditions:

1. The site will be seeded with a native wetland stabilization seed mix during the spring of 2006 and mulched with no less than one inch of weed free straw.
2. Photographs of the completed stabilization shall be submitted to the DES Wetlands Bureau by the end of the 2006 growing season.
3. Additional restoration and or stabilization will require further authorization by the DES Wetlands Bureau.

It is also subject to the following general conditions:

1. This approval does not convey a property right, nor authorize any injury to property of others, nor invasion of rights of others;
2. This approval does not relieve the applicant from the obligation to obtain other local, state or federal permits that may be required.

With Findings:

1. The restoration activities were needed to remove sedimentation of a drainage ditch/seasonal stream caused by a storm event. The sedimentation was causing flooding along Alton Mountain Road and threatened the stability of the road surface.
2. The follow up report was submitted by the authorization deadline.

2005-03032 BLUE SKY ENTERPRISES
BELMONT Unnamed Wetland

Requested Action:

Dredge and fill 525 square feet of palustrine forested wetland including installation of a 12-inch x 25 foot culvert for access in the subdivision of 10.3 acres into three single family residential lots.

APPROVE PERMIT:

Dredge and fill 525 square feet of palustrine forested wetland including installation of a 12-inch x 25 foot culvert for access in the subdivision of 10.3 acres into three single family residential lots.

With Conditions:

1. All work shall be in accordance with plans by Howard Warren dated December 12, 2005, as received by the Department on February 28, 2006, and Subdivision plans by Harold E. Johnson, dated November 22, 2005, and revised through December 29, 2005, as received by the Department on January 30, 2006.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
4. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #3 of this approval.
5. Work shall be done during low flow.
6. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized.
7. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
8. Proper headwalls shall be constructed within seven days of culvert installation.
9. Culvert outlets shall be protected in accordance with the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in

New Hampshire (August, 1992).

10. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

11. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(f), projects involving alteration of less than 3,000 square feet in swamps or wet meadows that are not in prime wetlands or do not meet the requirements of Wt 303.02(k).
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2006-00114 HANNAFORD BROTHERS CO, JAY LORD
HAMPTON Unnamed Wetland

Requested Action:

Dredge and fill a total of 1,422 sq. ft. of jurisdictional palustrine wetlands for work associated with the reconstruction and stabilization of an existing drainage ditch and berm of the on-site detention basin incorporating biostabilization and standard techniques.

Conservation Commission/Staff Comments:

The Hampton Conservation Commission does not oppose granting the permit with a stipulation which has been addressed by the applicant.

APPROVE PERMIT:

Dredge and fill a total of 1,422 sq. ft. of jurisdictional palustrine wetlands for work associated with the reconstruction and stabilization of an existing drainage ditch and berm of the on-site detention basin incorporating biostabilization and standard techniques.

With Conditions:

1. All work shall be in accordance with plans by NH Soil Consultants, Inc. dated 1/3/06, as received by the Department on January 17, 2006.
2. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
3. Wetlands Bureau Southeast Region staff shall be notified in writing prior to commencement of work and upon its completion.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
6. Work shall be done during low flow.

2006-00283 LAMONTAGNE, TOHOMAS & TERRI
NEW CASTLE Little Harbor

Requested Action:

Retain 3,000 square feet of impact within the 100-foot tidal buffer zone for the construction of a single family dwelling on 0.67 acres with 155 feet of shoreline on Little Harbor.

Conservation Commission/Staff Comments:

The New Castle Conservation Commission signed the Minimum Impact Expedited Application.

APPROVE AFTER THE FACT:

Retain 3,000 square feet of impact within the 100-foot tidal buffer zone for the construction of a single family dwelling on 0.67 acres with 155 feet of shoreline on Little Harbor.

With Conditions:

1. All work shall be in accordance with plans by Millette, Sprague & Colwell, Inc. dated November 19, 2001 and revised December 5, 2001, as received by the Department on February 14, 2006.
2. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
5. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(b) Projects in previously-developed upland areas within 100 feet of the highest observable tide line.

FORESTRY NOTIFICATION

2005-03065 GROB, MONTY & DEBORAH YOUNGMAN
DORCHESTER Unnamed Stream

COMPLETE NOTIFICATION:
Dorchester Tax Map 1, Lot# 660.1

2006-00211 HENRY, GERALD
LANCASTER Unnamed Stream

2006-00294 THIBODEAU, REJEAN & THERESE
WEST STEWARTSTOWN Unnamed Stream

COMPLETE NOTIFICATION:
West Stewartstown Tax Map A5, Lot# 37

2006-00316 **MCGINN, JANE**
HAMPTON FALLS **Unnamed Stream**

COMPLETE NOTIFICATION:
Hampton Falls Tax Map 6, Lot# 4

2006-00323 **JARVIS CUTTING TOOLS INC**
ROCHESTER **Unnamed Stream**

COMPLETE NOTIFICATION:
Rochester Tax Map 215, Lot# 59

2006-00374 **ROBERTS, JAMES**
LANDAFF **Unnamed Stream**

COMPLETE NOTIFICATION:
Landaff Tax Map 4, Lot# 23

2006-00376 **BAYROOT LLC - MOXIE TREE FARM, C/O WAGNER FOREST M**
WENTWORTHS LOCA **Unnamed Stream**

COMPLETE NOTIFICATION:
Wentworth Location Tax Map 217, Lot# 6

2006-00378 **WOLFE, TOBIAS**
SANBORNTON **Unnamed Stream**

COMPLETE NOTIFICATION:
Sanbornton Tax Map 16, Lot# 23

2006-00379 **UNION WATER POWER COMPANY**
ERROL **Unnamed Stream**

COMPLETE NOTIFICATION:
Errol Tax Map R15, Lot# 2

2006-00381 **MATHES, ROGER & NANCY**
DEERFIELD **Unnamed Stream**

COMPLETE NOTIFICATION:
Deerfield Tax Map 208, Lot# 5

2006-00382 **HAFELA, BLANDINE**
HANCOCK **Unnamed Stream**

COMPLETE NOTIFICATION:

Hancock Tax map R1, Lot# 7

2006-00387 HOLMES, ROBERT
DORCHESTER Unnamed Stream

COMPLETE NOTIFICATION:

Dorchester Tax Map 7, Lot# 353

EXPEDITED MINIMUM

2004-01707 BAER, LENNY
FREEDOM Lake Ossipee

Requested Action:

Impact 339 square feet of bank to include the installation of a 3' x 40' turf paver pathway, the removal/replacement of a deteriorated, dry-stacked rock wall with a 1' x 2.5' x 73' concrete wall, and the construction of over-the-bank stairs leading uphill to the pump house on Broad Bay, Ossipee Lake with 100' of shoreline frontage.

Conservation Commission/Staff Comments:

The Freedom Conservation Commission did not sign the Minimum Impact Expedited Application.

Inspection Date: 11/17/2004 by Eben M Lewis

APPROVE PERMIT:

Impact 339 square feet of bank to include the installation of a 3' x 40' turf paver pathway, the removal/replacement of a deteriorated, dry-stacked rock wall with a 1' x 2.5' x 73' concrete wall, and the construction of over-the-bank stairs leading uphill to the pump house on Broad Bay, Ossipee Lake with 100' of shoreline frontage.

With Conditions:

1. All work shall be in accordance with plans by Thaddeus Thorne Surveys, Inc. dated March 2005, as received by the Department on October 12, 2005.
2. DES staff shall be notified in writing prior to commencement of work and upon its completion.
3. Work shall be done during drawdown.
4. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands.
7. Faulty equipment shall be repaired prior to entering jurisdictional areas.
8. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
9. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
10. The Retaining wall shall be constructed landward of the shoreline defined by the elevation of normal high water so as not to create land in public water.
11. The pathway shall be constructed of turf pavers and the gaps shall be seeded with grass.
12. Stairs shall be constructed over-the-bank only.

13. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(o), as deemed minimum by the Department.
2. Per Wt 302.01, the need for the proposed impacts has been demonstrated by the applicant, as the shoreline is offered no protection from wave energy by the existing dry-stacked rock wall and foot traffic continually erodes the top of the bank.
3. Per Wt 302.03, the applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction, as the removal/replacement of the existing wall with the concrete wall will stabilize the shoreline to prevent further erosion. The installation of the turf paver pathway will effectively control erosion of the bank by creating a stabilized pathway and will allow infiltration of sheet flows from the banks above, thereby controlling direct run-off into Ossipee Lake.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. The Freedom Conservation Commission (FCC) does not support the approval of this file and requested denial on the grounds that the original proposed structures will create an increase in impervious surface.
6. DES personnel inspected the site on November 17, 2005. At the time of the inspection, DES noted severe erosion along the top of the bank as well as the bank itself.
7. In response to the FCC response, DES finds the applicant has submitted a plan that will ultimately alleviate continued erosion of the shoreline and reaffirms finding 3. In addition, DES considered using bark mulch to stabilize the pathway, but requested the use of turf pavers as the annual application of mulch will erode into the lake and not rectify the erosion problem. Turf pavers allow for the growth of vegetation in between the gaps of concrete and will intercept any entrained sediments transported by sheet flow from the bank above.
8. Pursuant to Wt 304.04, the applicant received written concurrence from those abutters within 20-feet of the proposed work.

2005-02303 ONEIL, TIM/BRENDA
DANVILLE Unnamed Wetland

Requested Action:

Request to amend original impact of 2,510 square feet to 2,820 square feet of wet meadow to construct a roadway and cul-de-sac to access an 8-lot residential subdivision per the request of the Town of Danville.

Conservation Commission/Staff Comments:

The Danville Conservation Commission signed the Minimum Impact Expedited Application.

APPROVE AMENDMENT:

Amend original impacts of 2,510 square feet to 2,820 square feet of wet meadow to construct a roadway and cul-de-sac to access an 8-lot residential subdivision.

With Conditions:

1. All work shall be in accordance with plans by Sublime Civil Consultants, Inc. dated September 6, 2005 and revised through January 23, 2006, as received by the Department on January 24, 2006.
2. This permit is contingent on approval by the DES Site Specific Program.
3. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for any other construction related activities.
4. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #3 of this approval.
5. This permit shall not be effective until it has been recorded with the Rockingham Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau.
6. At least 48 hours prior to the start of construction, a pre-construction meeting shall be held with NHDES Land Resources Management Program staff at the project site or at the DES Office in Portsmouth, N.H. to review the conditions of this wetlands

permit and the NHDES Site Specific Permit. It shall be the responsibility of the permittee to schedule the pre-construction meeting, and the meeting shall be attended by the permittee, his/her professional engineer(s), wetlands scientist(s), and the contractor(s) responsible for performing the work.

7. Work shall be done during low flow conditions.

8. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.

9. Proper headwalls shall be constructed within seven days of culvert installation.

10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

11. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(f), alteration of less than 3,000 square feet of jurisdictional forested wetland.

2. Per Wt 302.01, the need for the proposed impacts has been demonstrated by the applicant, as they are requesting to access buildable upland.

3. Per Wt 302.03, the applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction, as the associated impacts will be to expand an existing driveway in current use.

4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

5. Per the request of the Town of Danville, the applicant revised the layout of the proposed roadway thereby requesting to amend the impact to 2,820 sq. ft. from 2,510 sq. ft.

2005-02936 BOETTCHER, PETER
LACONIA Lake Winnepesaukee

Requested Action:

Repair an existing 32 ft by 34 ft boathouse supported by full cribs on 46.5 ft of frontage on Lake Winnepesaukee, Laconia.

Conservation Commission/Staff Comments:

Con Com submitted comments on which lot and plans are not suitable.

APPROVE PERMIT:

Repair an existing 32 ft by 34 ft boathouse supported by full cribs on 46.5 ft of frontage on Lake Winnepesaukee, Laconia.

With Conditions:

1. All work shall be in accordance with plans as received by the Department on February 6, 2006.

2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.

3. This permit to replace or repair existing structures shall not preclude the Department of Environmental Services from taking any enforcement action or revocation action if the Department of Environmental Services later determines that these "existing structures" were not previously permitted or grandfathered.

4. Repairs to these structures may be conducted, as necessary, throughout the duration of this permit provided that the permittee notifies the Wetlands Bureau and Conservation Commission, in writing, of the proposed start and completion date prior to performing any repair.

5. Repair shall maintain existing size, location and configuration.

6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.

7. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
8. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.
9. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
10. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
11. Existing rocks which have fallen shall be used for repair. No Additional Rocks.
12. This permit does not allow for maintenance dredging.
13. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This project is classified as a minimum impact project per Rule Wt 303.04(v), repair of existing structures with no change in size, location or configuration.

**2005-02987 MILL POND CROSSING LLC, APPLESEEDS SQUARE
BRENTWOOD Unnamed Wetland**

Requested Action:

Impact 2,245 square feet of wet meadow and forested wetland for the construction of a roadway access and walking trail to include impacts for the construction of a community septic system for an age restricted housing development on 35.947 acres.

Conservation Commission/Staff Comments:

The Brentwood Conservation Commission signed the Minimum Impact Expedited Application.

APPROVE PERMIT:

Impact 2,245 square feet of wet meadow and forested wetland for the construction of a roadway access and walking trail to include impacts for the construction of a community septic system for an age restricted housing development on 35.947 acres.

With Conditions:

1. All work shall be in accordance with the following plans by Beals Associates, PLLC. as received by the Department on December 19, 2005:
 - a.) Plan & Profile Plan (Sheet P1) dated October 26, 2005 and revised through November 30, 2005;
 - b.) Proposed Conditions Plan (Sheet C3) dated October 26, 2005 and revised through November 30, 2005.
2. DES staff shall be notified in writing prior to commencement of work and upon its completion.
3. This permit is contingent on approval by the DES Site Specific Program.
4. This permit is contingent on approval by the DES Subsurface Systems Bureau.
5. This permit shall not be effective until it has been recorded with the Rockingham County Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
6. At least 48 hours prior to the start of construction, a pre-construction meeting shall be held with NHDES Land Resources Management Program staff at the project site or at the DES Office in Concord, N.H. to review the conditions of this wetlands permit and the NHDES Site Specific Permit. It shall be the responsibility of the permittee to schedule the pre-construction meeting, and the meeting shall be attended by the permittee, his/her professional engineer(s), wetlands scientist(s), and the contractor(s) responsible for performing the work.
7. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
8. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
9. Work shall be done during seasonal low flow conditions.
10. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
11. Proper headwalls shall be constructed within seven days of culvert installation.
12. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be

stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

13. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.

14. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.

15. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(f), alteration of less than 3,000 square feet of jurisdictional forested wetland/wet meadow.

2. Per Wt 302.01, the need for the proposed impacts has been demonstrated by the applicant, as the widening of the existing woods road will require small impacts and the impacts are necessary for the construction of an on-site septic treatment.

3. Per Wt 302.03, the applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction, as an existing woods road will be utilized to minimize impacts.

4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

5. A memo dated January 17, 2006, from the Nongame and Endangered Wildlife Program, NH Fish and Game Dept. (NHFG) was received by the Department with the record of one sensitive species in the vicinity of the project, the Brook Floater listed as endangered in the State. The concerns brought forth were as follows: NHFG recommended the installation of open-bottomed box culverts or bridges to maintain natural stream beds within perennial streams; 100-foot "no-cut" stream buffers; and stormwater treatment for water entering the Exeter River.

6. In reference to the aforementioned concerns of NHFG, the Department makes the following findings: the impacts associated with this site are to forested wetlands/wet meadow and there are no perennial streams located within the entire project site, therefore there is no need for open-bottom culverts; there will be on-site stormwater treatment to contain and prevent sediment, chemical contamination, and untreated stormwater from entering the Exeter River, additionally the project site is over 0.25 mile from the Exeter River, therefore the Department finds that there will be no adverse affect to brook floater mussels.

2006-00060 CARY, LINDA
DEERFIELD Unnamed Wetland

Requested Action:

Impact 516 square feet of palustrine forested wetland to install a 18-inch by 26-foot culvert for access to one single family residential lot on 3.37 acres as part of a two lot subdivision of 8.77 acres.

Conservation Commission/Staff Comments:

Con Com has no objections

APPROVE PERMIT:

Impact 516 square feet of palustrine forested wetland to install a 18-inch by 26-foot culvert for access to one single family residential lot on 3.37 acres as part of a two lot subdivision of 8.77 acres.

With Conditions:

1. All work shall be in accordance with plans by Blaisdell Survey, LLC. dated September 27, 2005, as received by the Department on January 9, 2006.

2. DES staff shall be notified in writing prior to commencement of work and upon its completion.

3. This permit is contingent on approval by the DES Subsurface Systems Bureau.

4. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.

5. Work shall be done during seasonal low flow conditions.
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. No fill shall be done to achieve septic setback and no dredging shall take place that would contradict the DES Subsurface Systems Bureau rules.
8. No fill shall be done for lot development.
9. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(z) Installation of a culvert or bridge and associated fill to permit vehicular access to a piece of property for a single family building lot.
2. Per Wt 302.01, the need for the proposed impacts has been demonstrated by the applicant, as these impacts are necessary to access buildable uplands.
3. Per Wt 302.03, the applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction, as the crossing will be at the narrowest portion of jurisdictional area.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2006-00140 STEWART, DOUGLAS
EAST WAKEFIELD Pine River Pond

Requested Action:

Excavate 240 sqft to construct a 240 sqft perched beach with 5 cy of sand on 100 ft of frontage on Pine River Pond, Wakefield.

Conservation Commission/Staff Comments:

Con Com did not sign the Exp Application

NH NHI and NH Fish and Game will not be submitting comments

APPROVE PERMIT:

Excavate 240 sqft to construct a 240 sqft perched beach with 5 cy of sand on 100 ft of frontage on Pine River Pond, Wakefield.

With Conditions:

1. All work shall be in accordance with plans by Carlene Stewart dated January 10, 2006, as received by the Department on January 23, 2006.
2. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
4. Dredged or excavated material shall be placed outside of the DES Wetlands Bureau jurisdiction.
5. Stone placed along the beach front for the purpose of retaining sand shall be placed above and/or landward of those rocks currently located along the normal high water line (Elevation 583). Those rocks existing at the normal high water line shall remain otherwise undisturbed such that the natural shoreline remains identifiable.
6. No more than 5 cu. yds. of sand may be used and all sand shall be located above the normal high water line.
7. This permit shall be used only once, and does not allow for annual beach replenishment.
8. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
9. Revegetation of trees, shrubs and ground covers representing the density and species diversity of the existing stand of vegetation removed for this project shall begin at a distance no greater than 5 feet landward from the beach area.
10. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(d), construction of a beach.

2006-00213 TRACEY, JOHN
NEWBURY Lake Sunapee

Requested Action:

Remove and repair and existing 9 ft 6 in by 26 ft permanent dock supported by an 8 ft by 8 ft crib, providing two boatslips on 90 ft of frontage on Lake Sunapee, Newbury.

Conservation Commission/Staff Comments:

Con Com signed Exp Application

APPROVE PERMIT:

Remove and repair and existing 9 ft 6 in by 26 ft permanent dock supported by an 8 ft by 8 ft crib, providing two boatslips on 90 ft of frontage on Lake Sunapee, Newbury.

With Conditions:

1. All work shall be in accordance with plans by Richard Green dated January 23, 2006, as received by the Department on January 30, 2006.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. This permit to replace or repair existing structures shall not preclude the Department of Environmental Services from taking any enforcement action or revocation action if the Department of Environmental Services later determines that these "existing structures" were not previously permitted or grandfathered.
4. Appropriate siltation and erosion controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
5. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
6. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
7. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.
8. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
9. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
10. Existing rocks which have fallen shall be used for repair. No Additional Rocks.
11. Repair shall maintain existing size, location and configuration.
12. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This project is classified as a minimum impact project per Rule Wt 303.04(v), repair of existing structures with no change in size, location or configuration.

2006-00253 TYCO TELECOMMUNICATIONS (US), INC, STEVE POTTER
NEWINGTON Piscataqua River

Requested Action:

Maintain and repair an existing docking facility consisting of a 16 ft x 250 ft approach trestle, pier "A" with dimensions of 30 ft x 32 ft, pier "B" with dimensions of 30 ft x 35 ft 4 in, pier "C" with dimensions of 30 ft x 100 ft, and 4 mooring tripods/dolphins, in kind, on 1,325 ft of frontage on the Piscataqua River in Newington, NH.

Conservation Commission/Staff Comments:
Con Com has no objections

APPROVE PERMIT:

Maintain and repair an existing docking facility consisting of a 16 ft x 250 ft approach trestle, pier "A" with dimensions of 30 ft x 32 ft, pier "B" with dimensions of 30 ft x 35 ft 4 in, pier "C" with dimensions of 30 ft x 100 ft, and 4 mooring tripods/dolphins, in kind, on 1,325 ft of frontage on the Piscataqua River in Newington, NH.

With Conditions:

1. All work shall be in accordance with plans by Appledore Engineering Inc. dated January 2006, as received by the Department on February 6, 2006.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. This permit does not allow for maintenance dredging.
4. Repairs to these structures may be conducted, as necessary, throughout the duration of this permit provided that the permittee notifies the Wetlands Bureau and Conservation Commission, in writing, of the proposed start and completion date prior to performing any repair.
5. Repairs shall maintain existing size, location and configuration.
6. This permit to replace or repair existing structures shall not preclude the DES from taking any enforcement action or revocation action if it later determines that any "existing structures" were not previously permitted or grandfathered in their current configuration.
7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
8. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
9. Work shall be carried out in a time and manner such that there will be no disturbance to migratory waterfowl breeding areas or fish spawning areas.
10. Work shall be done during low flow.
11. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a Minimum Impact project per Administrative Rule Wt 303.04(v), maintenance, repair, and replacement, in-kind, of docking structures.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2006-00280 STANLEY, ESAU
DERRY Unnamed Stream

Requested Action:

Impact 870 square feet within the bed and banks of an intermittent stream and scrub-shrub wetland to install a 48' x 24' RCP culvert for access to uplands for stockpiling soil.

Conservation Commission/Staff Comments:

The Derry Conservation Commission signed the Minimum Impact Expedited Application.

APPROVE PERMIT:

Impact 870 square feet within the bed and banks of an intermittent stream and scrub-shrub wetland to install a 48' x 24' RCP culvert for access to uplands for stockpiling soil.

With Conditions:

1. All work shall be in accordance with plans by Edward N. Herbert Assoc., Inc. dated December 2005, as received by the Department on February 13, 2006.
2. DES staff shall be notified in writing prior to commencement of work and upon its completion.
3. Work shall be done during seasonal low flow conditions.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
6. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(n), projects that alter the course of or disturb less than 500 linear feet of an intermittent stream.
2. Per Wt 302.01, the need for the proposed impacts has been demonstrated by the applicant, as the impacts are necessary to access the upland portion of the property.
3. Per Wt 302.03, the applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction, as the wetlands will be impacted and crossed at the narrowest section.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

LAKES-SEASONAL DOCK NOTIF

2006-00370 KEMPTON, CHRIS
ALTON Unnamed Wetland Lake Winnepesaukee

COMPLETE NOTIFICATION:

Seasonal Dock - (East)Alton NH Tax Map#48 Lot#39 Lake Winnepesaukee

2006-00373 CHAREST, DANIEL
MOULTONBOROUGH Unnamed Wetland Lake Winnepesaukee

COMPLETE NOTIFICATION:

Seasonal Dock - Moultonborough NH
Tax Map# 87 Lot# 5 Lake Winnepesaukee

2006-00413 STEVENS, GERARD
LACONIA Unnamed Wetland Winnepesaukee

COMPLETE NOTIFICATION:

Seasonal Dock - Tax Map# 117 Lot# 1-4-5

Block# 234 Lake Winnepesaukee

SHORELAND VARIANCE / WAIV

2005-01555 DWINELL, RICHARD
FITZWILLIAM Laurel Lake

Requested Action:

Increase the ridgeline height of an existing nonconforming structure within the 50 ft setback to the reference line to add a second floor in Fitzwilliam adjacent to Laurel Lake.

Conservation Commission/Staff Comments:

check deck EMS

Inspection Date: 08/19/2005 by Chris T Brison

DENY CSPA WAIVER:

Increase the ridgeline height of an existing nonconforming structure within the 50 ft setback to the reference line to add a second floor in Fitzwilliam adjacent to Laurel Lake.

With Findings:

Findings of Fact:

1. The Department received a request on July 23, 2005 to expand a nonconforming structure by increasing the ridgeline height for a second floor addition on property identified as Fitzwilliam Tax Map 21, Lot 6.
2. On August 19, 2005 NH DES personnel inspected the property and noted that the existing deck, extending off the lakeward side of the nonconforming primary structure, extends over Laurel Lake beyond the reference line.
3. The project as proposed will not more nearly conform to the standards and intent of RSA 483-B.
4. On September 7, 2005, the Department sent a More Information Request Letter for required materials that were missing from original proposal.
5. The letter informed the applicant that the deck extending off the front of the nonconforming primary structure over Laurel Lake needed to be completely removed in order for consideration for approval of the expansion in accordance with RSA 482-A:26.
6. On January 3, 2006 the Department received a response to the More Information Request. The response did not provide the materials requested.
7. The response received on January 3, 2006, did not address the removal of the deck as would be required per RSA 482-A:26.

Standards of Approval:

8. In accordance with RSA 483-B:9, Minimum Shoreland Protection Standards, II, "Primary structures shall be set back behind the primary building line which is 50 feet from the reference line."
9. In accordance with RSA 483-B:11, II, "When reviewing requests for the redevelopment of sites...the commissioner shall review proposals which are more nearly conforming than the existing structures, and may waive some of the standards specified in RSA 483-B:9, so long as there is at least the same degree of protection provided to public waters."
10. In accordance with RSA 482-A:26 I, "No person shall construct any structure suitable for use as a dwelling if the structure or any part of the structure extends beyond the shoreline of any public water or publicly-owned water body."

Rulings in Support of Decision:

11. The Applicant's proposal to expand a dwelling which extends, in part, over a public water fails to comply with RSA 482-A:26, therefore this shoreland waiver application has been denied.
12. The Applicant's proposal fails to "more nearly conform" to the standards and intent of RSA 483-B, and therefore, does not meet the criteria for a waiver as required per RSA 483-B:11,II.

2005-02169 BOWEN, JAMES
NELSON Nubanusit Lake

Requested Action:

Maintain the nonconforming primary structure's setback at 20 feet from the reference line, increase the ridgeline height from 10 feet to 13 feet 6 inches, and increase the nonconforming primary structure's footprint from 225 square feet to 259 square feet.

Inspection Date: 10/18/2005 by Heather S Dionne

APPROVE CSPA WAIVER:

Maintain the nonconforming primary structure's setback at 20 feet from the reference line, increase the ridgeline height from 10 feet to 13 feet 6 inches, and increase the nonconforming primary structure's footprint from 225 square feet to 259 square feet.

With Conditions:

1. All work shall be conducted in accordance with plans as received by the department on January 6, 2006.
2. This approval shall not be effective until it has been recorded at the appropriate County Registry of Deeds and a copy of the recorded waiver is sent to the department.
3. Unnecessary removal of vegetation within the shoreland during construction shall be prohibited.
4. All planted vegetation shall be native and consistent with surrounding natural vegetation on the property and surrounding properties and shall match the plans received by DES on January 23, 2006. Planting invasive or exotic species is strictly prohibited.
5. This approval does not allow lakeward expansion of the primary structure.
6. The structure shall tie in with the existing septic system approval number CA2002040601.
7. No open deck or porch constructed shall extend more than 12 feet towards the reference line.
8. The contractor/owner responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
9. A copy of this waiver shall be posted on site during construction in a prominent location visible to inspecting personnel.
10. This waiver does not exempt the owner from obtaining any other necessary local, state or federal permits or approvals.
11. The owner shall maintain compliance with all other requirements of the Comprehensive Shoreland Protection Act, RSA 483-B.

With Findings:

1. The existing non-conforming residence is located within the 50 foot primary building setback to Nubanusit Lake and therefore fails to conform to the setback restriction set forth in RSA 483-B:9, II, of the CSPA.
2. In accordance with RSA 483-B:11, II, the commissioner shall review proposals which are more nearly conforming than the existing structures, and may waive some of the standards specified in RSA 483-B:9, so long as there is at least the same degree of protection provided to the public waters and the proposal is "more nearly conforming." More nearly conforming "means a proposal for significant changes to the location or size of the existing structures that bring the structures into greater conformity, or a proposal for changes to other aspects of the property, including but not limited to stormwater management, wastewater treatment or traffic volume or flow, or both types of proposal which significantly improve wildlife habitat or resource protection."
3. The Subsurface Systems Bureau has approved the system for the property on July 22, 2002, in accordance with approval number CA2002040601.
4. The applicant has proposed to plant NH native species as seen on the plan submitted to DES on January 23, 2006 therefore

meeting the requirements for a waiver to RSA 483-B:9 as described in RSA 483-B: 11, II.

2005-02707 LITTLEFIELD, JR, WILLIAM
MEREDITH Lake Winnepesaukee

Requested Action:

Maintain the nonconforming structure's setback at 9.4 feet from the reference line, maintain the ridgeline height at 16 feet, except for a cupola where the peak height will be 22 feet; and increase the nonconforming primary structure's footprint by 49 square feet.

Inspection Date: 12/02/2005 by Heather S Dionne

APPROVE CSPA WAIVER:

Maintain the nonconforming structure's setback at 9.4 feet from the reference line, maintain the ridgeline height at 16 feet, except for a cupola where the peak height will be 22 feet; and increase the nonconforming primary structure's footprint by 49 square feet.

With Conditions:

1. All work shall be conducted in accordance with plans as received by the department on February 14, 2006 and November 14, 2005.
2. This approval shall not be effective until it has been recorded at the appropriate County Registry of Deeds and a copy of the recorded waiver is sent to the department.
3. Unnecessary removal of vegetation within the shoreland during construction shall be prohibited.
4. All planted vegetation shall be native and consistent with surrounding natural vegetation on the property and surrounding properties. Planting invasive or exotic species is strictly prohibited.
5. Native plantings shall be completed by June 1, 2007, and shall be consistent with the plans submitted to DES on February 13, 2006.
6. This approval does not allow lakeward expansion of the primary structure.
7. The contractor/owner responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
8. A copy of this waiver shall be posted on site during construction in a prominent location visible to inspecting personnel.
9. This waiver does not exempt the owner from obtaining any other necessary local, state or federal permits or approvals.
10. The owner shall maintain compliance with all other requirements of the Comprehensive Shoreland Protection Act, RSA 483-B.

With Findings:

1. The existing non-conforming residence is located within the 50 foot primary building setback to Lake Winnepesaukee and therefore fails to conform to the setback restriction set forth in RSA 483-B:9, II, of the CSPA.
2. In accordance with RSA 483-B:11, II, the commissioner shall review proposals which are more nearly conforming than the existing structures, and may waive some of the standards specified in RSA 483-B:9, so long as there is at least the same degree of protection provided to the public waters and the proposal is "more nearly conforming." More nearly conforming "means a proposal for significant changes to the location or size of the existing structures that bring the structures into greater conformity, or a proposal for changes to other aspects of the property, including but not limited to stormwater management, wastewater treatment or traffic volume or flow, or both types of proposal which significantly improve wildlife habitat or resource protection."
3. The applicant has proposed to plant NH native species along the shoreline, according to plans submitted on February 14, 2006, and therefore meets the requirements for a waiver to RSA 483-B:9 as described in RSA 483-B: 11, II.

2006-00093 CARD, DEAN & PATRICIA
RINDGE Pool Pond

Requested Action:

Increase the nonconforming primary structure's setback from 12 feet to 21 feet from the reference line, increase the ridgeline height from 21 feet to 30 feet, and decrease the nonconforming primary structure's footprint within the 50-foot setback from 1040 square feet to 650 square feet.

Inspection Date: 02/02/2006 by Heather S Dionne

APPROVE CSPA WAIVER:

Increase the nonconforming primary structure's setback from 12 feet to 21 feet from the reference line, increase the ridgeline height from 21 feet to 30 feet, and decrease the nonconforming primary structure's footprint within the 50-foot setback from 1040 square feet to 650 square feet.

With Conditions:

1. All work shall be conducted in accordance with plans as received by the department on January 20, 2006.
2. This approval shall not be effective until it has been recorded at the appropriate County Registry of Deeds and a copy of the recorded waiver is sent to the department.
3. Unnecessary removal of vegetation within the shoreland during construction shall be prohibited.
4. All planted vegetation shall be native and consistent with surrounding natural vegetation on the property and surrounding properties. Planting invasive or exotic species is strictly prohibited.
5. NH native plants shall be installed along the shoreline based on plans submitted to DES on February 16, 2006, and shall be completed by June 30, 2007.
6. This approval does not allow lakeward expansion of the primary structure.
7. No open deck or porch constructed shall extend more than 12 feet towards the reference line.
8. The contractor/owner responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
9. A copy of this waiver shall be posted on site during construction in a prominent location visible to inspecting personnel.
10. This waiver does not exempt the owner from obtaining any other necessary local, state or federal permits or approvals.
11. The owner shall maintain compliance with all other requirements of the Comprehensive Shoreland Protection Act, RSA 483-B.

With Findings:

1. The existing non-conforming residence is located within the 50 foot primary building setback to Pool Pond and therefore fails to conform to the setback restriction set forth in RSA 483-B:9, II, of the CSPA.
2. In accordance with RSA 483-B:11, II, the commissioner shall review proposals which are more nearly conforming than the existing structures, and may waive some of the standards specified in RSA 483-B:9, so long as there is at least the same degree of protection provided to the public waters and the proposal is "more nearly conforming." More nearly conforming "means a proposal for significant changes to the location or size of the existing structures that bring the structures into greater conformity, or a proposal for changes to other aspects of the property, including but not limited to stormwater management, wastewater treatment or traffic volume or flow, or both types of proposal which significantly improve wildlife habitat or resource protection."
3. The applicant has proposed to install NH native plantings along the shoreline and therefore meets the requirements for a waiver to RSA 483-B:9 as described in RSA 483-B: 11, II.

2006-00223

VANBEAVER, STEPHEN

STRAFFORD Bow Lake

Requested Action:

Decrease the nonconforming primary structure's setback from 17 feet to 19 feet from the reference line, increase the ridgeline height

from 20 feet to 27 feet, and decrease the footprint of the nonconforming primary structure by 455 square feet.

Inspection Date: 02/14/2006 by Heather S Dionne

APPROVE CSPA WAIVER:

Decrease the nonconforming primary structure's setback from 17 feet to 19 feet from the reference line, increase the ridgeline height from 20 feet to 27 feet, and decrease the footprint of the nonconforming primary structure by 455 square feet.

With Conditions:

1. All work shall be conducted in accordance with plans as received by the department on January 31, 2006.
2. This approval shall not be effective until it has been recorded at the appropriate County Registry of Deeds and a copy of the recorded waiver is sent to the department.
3. Unnecessary removal of vegetation within the shoreland during construction shall be prohibited.
4. All planted vegetation shall be native and consistent with surrounding natural vegetation on the property and surrounding properties. Planting invasive or exotic species is strictly prohibited.
5. This approval does not allow lakeward expansion of the primary structure.
6. During the proposed construction of the non-conforming residence, the applicant shall upgrade the existing septic system and replace the creosote timbers retaining wall with retaining wall blocks, and remove the shed.
7. No open deck or porch constructed shall extend more than 12 feet towards the reference line.
8. The contractor/owner responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
9. A copy of this waiver shall be posted on site during construction in a prominent location visible to inspecting personnel.
10. This waiver does not exempt the owner from obtaining any other necessary local, state or federal permits or approvals.
11. The owner shall maintain compliance with all other requirements of the Comprehensive Shoreland Protection Act, RSA 483-B.

With Findings:

1. The existing non-conforming residence is located within the 50 foot primary building setback to Bow Lake and therefore fails to conform to the setback restriction set forth in RSA 483-B:9, II, of the CSPA.
2. In accordance with RSA 483-B:11, II, the commissioner shall review proposals which are more nearly conforming than the existing structures, and may waive some of the standards specified in RSA 483-B:9, so long as there is at least the same degree of protection provided to the public waters and the proposal is "more nearly conforming." More nearly conforming "means a proposal for significant changes to the location or size of the existing structures that bring the structures into greater conformity, or a proposal for changes to other aspects of the property, including but not limited to stormwater management, wastewater treatment or traffic volume or flow, or both types of proposal which significantly improve wildlife habitat or resource protection."
3. The Subsurface Systems Bureau has approved the system for the property on January 23, 2006, in accordance with approval number CA2006078336.
4. The applicant has proposed to replace the septic system, and remove a creosote timber retaining wall along the driveway, and replace it with retaining wall blocks, and remove a shed, therefore meeting the requirements for a waiver to RSA 483-B:9 as described in RSA 483-B: 11, II.

PERMIT BY NOTIFICATION

2006-00327 MCNABB, DIANA
GILFORD Lake Winnepesaukee

Requested Action:

Replace three pilings on an existing piling supported "u" shaped docking facility in Gilford on Welch Island on Lake Winnepesaukee.

PBN IS COMPLETE:

Replace three pilings on an existing piling supported "u" shaped docking facility in Gilford on Welch Island on Lake Winnepesaukee.

With Findings:

1. This project is classified as a minimum impact project per Rule Wt 303.04(v), repair of existing structures with no change in size, location or configuration.

2006-00358 MUNDAY, MIKE
TUFTONBORO Twenty Mile Bay

Requested Action:

Install a 6 ft x 40 ft seasonal pier anchored to a 7 ft x 3 ft x 2 ft concrete pad on 180 ft of frontage in Tuftonboro on Lake Winnepesaukee.

PBN IS COMPLETE:

Install a 6 ft x 40 ft seasonal pier anchored to a 7 ft x 3 ft x 2 ft concrete pad on 180 ft of frontage in Tuftonboro on Lake Winnepesaukee.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(a) construction of a seasonal pier.

2006-00359 CAMIRE, GUY
GOFFSTOWN Unnamed Wetland

Conservation Commission/Staff Comments:

The Conservation Commission signed the PBN form, waiving its right to intervene, pursuant to RSA 482-A:11.

PBN IS COMPLETE:

Dredge and fill approximately 755 square feet of forested wetlands to install a 18 inch x 27 foot plastic culvert, associated fill and grading for the construction of a driveway to a single family building lot.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(z).

2006-00366 DEVORA LLC, GEORDY HUTCHINSON
WOLFEBORO Lake Winnepesaukee

Requested Action:

Install a 6 ft x 40 ft seasonal pier achored to a 4 ft x 6 ft concrete pad, install seasonal boat lift, install two PWC seasonal lifts on 100 ft of frontage in Wolfeboro, on Lake Winnepesaukee.

PBN IS COMPLETE:

Install a 6 ft x 40 ft seasonal pier achored to a 4 ft x 6 ft concrete pad, install seasonal boat lift, install two PWC seasonal lifts on 100 ft of frontage in Wolfeboro, on Lake Winnepesaukee.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04 (a) construction of a seasonal pier.

2006-00383 BROWN TRUST, MARGARET
ALTON Lake Winnepesaukee

Requested Action:

Remove existing 6 ft x 30 ft piling pier and two ice clusters and install a 6 ft x 40 ft seasonal dock in differnet location anchored to a 3 ft x 7 ft cement pad on 210 ft of frontage in Alton on Lake Winnepesaukee.

PBN DISQUALIFIED:

Remove existing 6 ft x 30 ft piling pier and two ice clusters and install a 6 ft x 40 ft seasonal dock in differnet location anchored to a 3 ft x 7 ft cement pad on 210 ft of frontage in Alton on Lake Winnepesaukee.